

REMARKS

Initially, Applicant would like to inform the Examiner that the undersigned attorney has taken over prosecution of the subject application and that a revocation of power of attorney and a new power of attorney will be submitted shortly. Thus, with regard to this Amendment "B", the undersigned attorney is acting under 37 CFR §1.34.

Prior to this Amendment, claims 1-9 and 24-31 were pending in the present application. In this Amendment, Applicant has canceled claims 1-9 and 28-31 and has added new claims 32-38.

In the Office action, the Examiner found that the application contains two patentably distinct species of the claimed invention, namely Species A directed to bending the electrical conductor in one direction, in Claims 24-27, and Species B directed to bending the electrical conductor in two direction, in claims 28-31. The Examiner is requiring the Applicant to elect a single disclosed species for prosecution. Applicant submits that this requirement is moot because Applicant has canceled claims 28-31. Nonetheless, Applicant would like to point out that the Examiner's restriction requirement is not in accord with MPEP §806.03 because both claims 24-27 and 28-31 are directed to the same disclosed embodiment of the invention. MPEP §806.03 reads, in part, as follows:

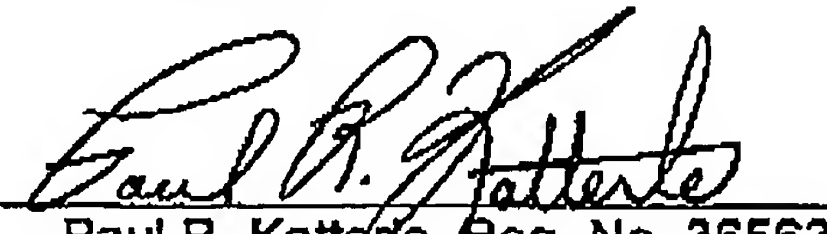
"Where the claims of an application define the same essential characteristics of a *single* disclosed embodiment of an invention, restriction therebetween should never be required. This is because the claims are not directed to distinct inventions; rather they are different definitions of the same disclosed subject matter, varying in breadth or scope of definition."

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 050877.

Respectfully submitted,

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